

December 14, 2010

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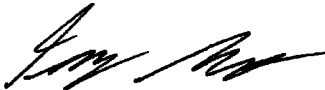
Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

**RE: Docket No. NOR 42121, Total Petrochemicals USA, Inc. v. CSX
Transportation, Inc., et al.**

Dear Ms. Brown:

TOTAL Petrochemicals USA, Inc. ("TPI") hereby notifies the Surface Transportation Board that it has resolved its differences with the South Branch Valley Railroad ("SBVR") and requests to remove the SBVR as a subject of TPI's Motion to Compel filed on December 13, 2010. TPI and SBVR have entered into an agreement governing the rates that SBVR charges for the issue traffic that it carries. TPI will be separately filing a motion to dismiss the SBVR and an amended complaint to reflect this fact in the near future.

Sincerely,



Jeffrey O. Moreno
David E. Benz
Counsel for TOTAL Petrochemicals USA, Inc.

Cc: All Parties of Record